

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 78, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 22-2-5-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Every person,
5 firm, corporation, limited liability company, or association, their
6 trustees, lessees, or receivers appointed by any court, doing business in
7 Indiana, shall pay each employee at least semimonthly or biweekly, if
8 requested, the amount due the employee. The payment shall be made
9 in lawful money of the United States, by negotiable check, draft, or
10 money order, or by electronic transfer to the financial institution
11 designated by the employee. Any contract in violation of this
12 subsection is void.
13 (b) Payment shall be made for all wages earned to a date not more
14 than ten (10) **business** days prior to the date of payment. However, this
15 subsection does not prevent payments being made at shorter intervals
16 than specified in this subsection, nor repeal any law providing for
17 payments at shorter intervals. However, if an employee voluntarily
18 leaves employment, either permanently or temporarily, the employer
19 shall not be required to pay the employee an amount due the employee
20 until the next usual and regular day for payment of wages, as

- 1 established by the employer. If an employee leaves employment
 2 voluntarily, and without the employee's whereabouts or address being
 3 known to the employer, the employer is not subject to section 2 of this
 4 chapter until:
- 5 (1) ten (10) **business** days have elapsed after the employee has
 - 6 made a demand for the wages due the employee; or
 - 7 (2) the employee has furnished the employer with the employee's
 - 8 address where the wages may be sent or forwarded."
- 9 Page 2, line 8, delete "fees." and insert "**fees incurred by the**
 10 **employee.**".
- 11 Renumber all SECTIONS consecutively.
 (Reference is to SB 78 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

Harrison

Chairperson